

AMENDED IN SENATE MARCH 22, 2011

SENATE BILL

No. 691

Introduced by Senator Lieu

February 18, 2011

~~An act to amend Section 7151 of the Labor Code, relating to employment.~~ *An act to amend Sections 627 and 22358.3 of the Vehicle Code, relating to vehicles.*

LEGISLATIVE COUNSEL'S DIGEST

SB 691, as amended, Lieu. ~~Employment: safety.~~ *Vehicles: reducing prima facie speed limits: local authority.*

Existing law authorizes a local authority to decrease the prima facie speed limits in a business or residential district or a public park on any street having a roadway not exceeding 25 feet in width to 20 or 15 miles per hour if the local authority determines, upon the basis of an engineering and traffic survey, that the prima facie speed limit of 25 miles per hour is more than is reasonable or safe. Existing law also authorizes a local authority to decrease the prima facie speed limit of 25 miles per hour to a speed limit of 20 or 15 miles per hour, upon the basis of an engineering or traffic survey. Existing law defines "engineering and traffic survey" to include the consideration of, among other things, highway, traffic, and roadside conditions not readily apparent to the driver.

This bill would eliminate the width limitation of the roadway for which the local authority may decrease the prima facie speed limits. The bill would authorize the local authority to reduce the prima facie speed limits to any speed lower than 25 miles per hour that is found to be most appropriate and is reasonable and safe. The bill would revise

the definition of “engineering and traffic survey” to specify conditions that are considered to be conditions not readily apparent to the driver.

~~Existing law requires specified safety procedures for the use of scaffolding by workers.~~

~~This bill would make nonsubstantive changes to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: no.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 627 of the Vehicle Code is amended to*
2 *read:*

3 627. (a) “Engineering and traffic survey,” as used in this code,
4 means a survey of highway and traffic conditions in accordance
5 with methods determined by the Department of Transportation for
6 use by state and local authorities.

7 (b) An engineering and traffic survey shall include, among other
8 requirements deemed necessary by the department, consideration
9 of all of the following:

10 (1) Prevailing speeds as determined by traffic engineering
11 measurements.

12 (2) Accident records.

13 (3) Highway, traffic, and roadside conditions not readily
14 apparent to the driver: *including all of the following:*

15 (A) *Elevated accident frequency.*

16 (B) *Elevated accident severity.*

17 (C) *High percentage of usage by trucks or other slow moving*
18 *vehicles.*

19 (D) *Multiple uncontrolled access points or frequent cross traffic*
20 *conflicts from closely spaced driveways or jogged intersections,*
21 *or both.*

22 (E) *Poor pavement condition or rough roads.*

23 (F) *Roadway slope.*

24 (G) *Presence of horizontal or vertical curbs, or both, limiting*
25 *motorist sight distance.*

26 (H) *Presence of multiple uncontrolled pedestrian crossings.*

27 (I) *Presence of school zones, multiple uncontrolled school*
28 *crossings, and school bus stops.*

29 (J) *Proximity to parks with active use or playgrounds.*

(K) Proximity to senior facilities or crossings frequented by seniors.

(L) Roadway that is parking impacted with heavy parking turnover.

(M) Roadway with heavily used bike routes that are not afforded with bike lanes.

(N) Equestrian activity or crossings.

(O) Roadway with heavy transit usage.

(P) Presence of nonlicensed electric or motorized vehicle crossings, such as golf cart crossings.

(Q) Key roadway connections for neighborhood electric vehicles.

(c) When conducting an engineering and traffic survey, local authorities, in addition to the factors set forth in paragraphs (1) to (3), inclusive, of subdivision (b) may consider all of the following:

(1) Residential density, if any of the following conditions exist on the particular portion of highway and the property contiguous thereto, other than a business district:

(A) Upon one side of the highway, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 13 or more separate dwelling houses or business structures.

(B) Upon both sides of the highway, collectively, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 16 or more separate dwelling houses or business structures.

(C) The portion of highway is longer than one-quarter of a mile but has the ratio of separate dwelling houses or business structures to the length of the highway described in either subparagraph (A) or (B).

(2) Pedestrian and bicyclist safety.

SEC. 2. Section 22358.3 of the Vehicle Code is amended to read:

22358.3. ~~Whenever~~ *Notwithstanding Section 22358.4, whenever* a local authority determines upon the basis of an engineering and traffic survey that the prima facie speed limit of 25 miles per hour in a business or residence district or in a public park on any street ~~having a roadway not exceeding 25 feet in width~~, other than a state highway, is more than is reasonable or safe, the local authority may, by ordinance or resolution, determine and declare a prima facie speed limit of 20 or 15 miles per hour, *or any speed lower*

1 *than 25 miles per hour*, whichever is found most appropriate and
2 is reasonable and safe. The declared prima facie limit shall be
3 effective when appropriate signs *or pavement markings, or both*
4 *signs and pavement markings*, giving notice ~~thereof~~ *of the speed*
5 *limit* are erected *or placed* upon the street.

6 SECTION 1. ~~Section 7151 of the Labor Code is amended to~~
7 ~~read:~~

8 ~~7151. If the working platform of any scaffolding swung or~~
9 ~~suspended from an overhead support is more than 10 feet above~~
10 ~~the ground, floor, or area to which an employee on the scaffolding~~
11 ~~might fall, it shall have a safety rail of wood or other equally rigid~~
12 ~~material of adequate strength. The rail shall comply with the~~
13 ~~applicable orders of the Division of Occupational Safety and~~
14 ~~Health.~~

15 ~~Suspended scaffolding shall be secured so as to prevent the~~
16 ~~scaffolding from swaying from the building, or structure, or other~~
17 ~~object being worked on from the scaffolding. All parts of the~~
18 ~~scaffolding shall be of sufficient strength to support, bear, or~~
19 ~~withstand with safety any weight of persons, tools, appliances, or~~
20 ~~materials which might reasonably be placed on it or which are to~~
21 ~~be supported by it.~~